

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

**FILED**  
JACKSONVILLE, FLORIDA

**MAY 02 2019**

**CLERK, U. S. BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA**

**BOBBY LEE JONES and  
MELISSA ANN BRANCH**

**CASE NO.: 3:19-BK-00764-JAF**

**CHAPTER 7**

**Debtors.**

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**DEBTOR'S MOTION TO VACATE ORDER GRANTING RELIEF FROM  
AUTOMATIC STAY**

1. Debtor Melissa Ann Branch ("Movant") moves the Court for an order vacating the Order Granting Santander Consumer USA, Inc.'s Motion for Relief From Stay dated April 22, 2019 (Doc. #11) on the following grounds:

2. Neither of the debtors received any notice of the motion for relief from stay as to their Kia Sorento in the mail or otherwise and had no knowledge of the motion until receiving the Order Granting Santander Consumer USA, Inc.'s Motion for Relief From Stay in the mail.

3. Had either of the debtors received notice of the motion for relief from stay they would have timely opposed the motion.

4. Debtors received a motion to lift the automatic stay from the same creditor and same creditor's attorney regarding a 2013 Dodge Charger and the debtors timely opposed that motion. Had the debtors been aware of the motion to lift the automatic stay regarding the Kia Sorento they most certainly would have filed a timely opposition to that motion as well.

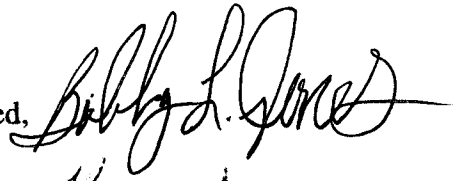

5. Movant filed a timely motion to redeem the Kia Sorrento, which she needs for transportation to and from work. She had previously arranged funding for the redemption from 722 Redemption and is awaiting an order approving her motion to redeem that vehicle. She most certainly would have opposed the motion to lift the stay on her Kia Sorrento had she received notice of it.

WHEREFORE, Movant respectfully requests that the foregoing motion be granted.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: 05-01-2019

Respectfully submitted,

Melissa Ann Branch, Debtor  
12834 Ashbrook Circle East  
Jacksonville, FL 32225  
Tel: (904) 465-7577  
jonesbranch@comcast.net



CERTIFICATE OF SERVICE

I hereby certify that I have mailed a true and correct copy of the foregoing document on all parties listed below by first-class U.S. Mail, postage prepaid, or electronic noticing pursuant to this court's local rules on this 1<sup>st</sup> day of May, 2019.

Gregory K. Crews  
Chapter 7 Trustee  
8584 Arlington Expressway  
Jacksonville, FL 32211  
(served electronically)

Chad D. Heckman, Esq.  
Heckman Law Group, PL  
P.O. Box 12492  
Tallahassee, FL 32317

for Santander Consumer USA, Inc.

  
  
Melissa Ann Branch, Debtor